REMARKS

Office Action

In the Office Action mailed on November 26, 2007, the Examiner objected to claims 7 and 16 for informalities because they contained the word "calorimetric," which the Examiner stated was not understood in the context of the claims. Objections were also raised regarding the drawings because they did not include a reference to a "bus 32" and because the reference numbers "68" and "70" did not match the description provided in the specification.

The Examiner also rejected claims 1, 2, 8, and 9 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,185,013 to Harrington et al. (hereinafter "Harrington") in view of U.S. Patent Number 6,058,207 to Tuijn et al. (hereinafter "Tuijn"). Claims 3 and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Harrington in view of Tuijn and in further view of U.S. Patent Number 6,775,408 to Masaki (hereinafter "Masaki"). Claims 4-7 and 11-16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Harrington in view of Tuijn and in further view of U.S. Patent Number 6,225,974 to Marsden et al. (hereinafter "Marsden").

Drawings

Applicant submits that the accompanying replacement drawing sheets address all of the drawing issues raised by the Examiner. Specifically, FIG. 1 in the replacement drawing sheet 1 provides the reference number "32" for the bus that the Examiner noted was missing from the original drawing sheets. FIG. 2 in

the replacement drawing sheet 2 correctly identifies the components corresponding to reference numbers "68" and "70" so they comport with the description in the specification. No new matter is added by the replacement drawings.

Claim Objections

With regard to the claim objections, Applicant notes that the word "calorimetric" is used in the specification at page 10 in a disjunctive phrase with the word "calibrated." Thus, Applicant submits that the amendments presented above address the objection in a manner consistent with the specification.

Section 103 Ground of Rejection

Claims 1, 2, 8, and 9

As stated in the preamble of the claims as originally submitted, the method and system of these claims are directed to the generation of highlight image data from grayscale image data. Neither Harrington nor Tuijn teaches or suggests the generation of highlight image data from grayscale image data. Instead, those references discuss the conversion of one type of color data to another type of color data without referencing grayscale data. To make this distinction more explicit, Applicant has amended the independent claims 1 and 8 to include a direct reference to the generation of highlight data from grayscale data.

The Examiner relies upon the description of the three dimensional volume of FIG. 1 as describing grayscale data. The Examiner is correct, but only as it pertains to the central axis of the volume. This understanding is supported by the previous paragraph to the one cited by the Examiner where it is stated, "Tints vary from unsaturated grays to fully saturated colors as one moves out radially from the central axis." *Harrington*, col. 1, lines 36-37. That is, the central axis is a straight line between black and white and this line defines the gray scale. As one leaves this axis, color is introduced to the gray until one reaches the saturated color. The discussion of FIG. 4 in Harrington reveals that mapping of the tetrahedral 4 to a triangle of available printer colors is performed for "any given hue." *Harrington*, col. 4, lines 8-11. Thus, only positions in the tetrahedral having some color to them, i.e., positions not on the central axis, are mapped to the available printer color triangle. This interpretation is sound as no color mapping is required for the grayscale data in the system of Harrington because it simply varies the amount of black to achieve gray. Thus, Harrington does not teach or suggest the conversion of grayscale data to a device independent color space for at least two reasons. First, Harrington does not teach the conversion of grayscale data to *any* type of color space. Second, Harrington only teaches the conversion of *hue* data to a *device dependent* color space.

Combining Harrington and Tuijn does not reach the claimed subject matter. Tuijn only teaches the conversion of a selected color to a changed color that is expressed in device independent color space coordinates. Thus, neither cited reference teaches the mapping or conversion of *grayscale* data to a device

independent color space. Instead, these references teach the conversion or mapping of a hue or color to either a device dependent color space or a device independent color space. Because the limitation of generating device independent color space data from grayscale data is not disclosed in either reference used in support of the section 103 ground of rejection, the rejection has been overcome and claims 1 and 8 are patentable over all references of record, either alone or in combination. Claims 2 and 9 depend from claims 1 and 8, respectively. Consequently, they also include this limitation and they are likewise patentable over all references of record for similar reasons.

Claims 3 and 10

Claims 3 and 10 depend from claims 1 and 8, respectively. Consequently, they also include the limitation discussed above with reference to those claims and they are likewise patentable over all references of record for similar reasons. Moreover, Masaki does not address or even mention grayscale data and, therefore, that reference cannot remedy the inadequately supported section 103 ground of rejection.

Claims 4-7 and 11-16

Claims 4-7 and 11-16 depend from claims 1 and 8, respectively, either directly or indirectly. Consequently, they also include the limitation discussed above with reference to those claims and they are likewise patentable over all references of record for similar reasons. Moreover, Marsden does not address or

even mention grayscale data and, therefore, that reference cannot remedy the inadequately supported section 103 ground of rejection.

Conclusion

For the reasons set forth above, all of the pending claims are patentable over all references of record, either alone or in combination. Reexamination and allowance of all pending claims are earnestly solicited.

Respectfully submitted,
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February 21, 2008
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